

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,	)	
	)	2:15-cr-00064-2-APG-CWH
Plaintiff,	)	
	)	
v.	)	<b><u>[PROPOSED] ORDER GRANTING</u></b>
	)	<b><u>MOTION FOR BILL OF</u></b>
JIMMY MATUTE,	)	<b><u>PARTICULARS AS TO</u></b>
	)	<b><u>DEFENDANT JIMMY MATUTE</u></b>
Defendant.	)	
	)	

Mr. Matute has been charged in a twenty-one count indictment, with charges of conspiracy to commit wire fraud and wire fraud pursuant to 18 U.S.C. § 1343 and 1349, as well as aiding and abetting pursuant to 18 U.S.C. § 2. On April 20, 2017, Mr. Matute, by and through his attorney, filed a motion for bill of particulars with respect to the counts against him. The motion was referred to the United States Magistrate Judge for a determination.

Pursuant to LCR 12-1(a)(2), responses to pretrial motions and notices must be filed and served within 14 days from the date of service of the motion if a party opposes the motion. The government has failed to respond to Mr. Matute's motion for a bill of particulars and the time for response has expired. In the absence of any response by the government it is assumed that the government has no opposition to the motion and any objections it might have had to the motion are waived through said non-response.

1 Accordingly, Mr. Matute's motion for a bill of particulars of the indictment is granted.  
2 The government shall have fourteen (14) days after the date of entry of this order to provide a  
3 bill of particulars as to the specific acts that Mr. Matute is alleged to have committed that  
4 support the government's charges, including, but not limited to: (1) each alleged role and/or  
5 asserted facts as to what each co-defendant affirmatively did and/or directed, (2) where/what  
6 account the monies transferred from and to in counts two through ten, (3) the defendant party/ies  
7 on the telephone calls in counts eleven through twenty, and (4) Mr. Matute's alleged role and/or  
8 membership and/or the allegations as to Mr. Matute's involvement of aiding/abetting any others  
9 charged in the case. *See, e.g.* Ninth Cir. Jury Inst. 5.1, 8.20 (March 2017).  
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12 IT IS SO ORDERED this 30th day of May, 2017.

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16 CARL W. HOFFMAN  
17 UNITED STATES MAGISTRATE JUDGE  
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